

H.R. 2228: Mr. DEFAZIO and Mr. FARR of California.

H.R. 2298: Mr. GREEN of Texas and Mr. WAXMAN.

H.R. 2308: Ms. DEGETTE.

H.R. 2366: Mr. CANNON, Mr. CONDIT, Mr. VITTER, Mr. SMITH of Texas, and Mr. COMBEST.

H.R. 2418: Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. ANDREWS, Mr. PASCRELL, Mr. PAYNE, Mr. SAXTON, and Mr. HOLT.

H.R. 2457: Mrs. MALONEY of New York.

H.R. 2492: Mr. WEINER, Mr. CROWLEY, and Mr. SERRANO.

H.R. 2495: Ms. WOOLSEY.

H.R. 2528: Mr. THOMPSON of California.

H.R. 2539: Mr. DREIER.

H.R. 2543: Mr. BURR of North Carolina, Mr. BONIOR, and Mr. LARGENT.

H.R. 2612: Ms. KAPTUR.

H.R. 2631: Ms. ROYBAL-ALLARD and Ms. ESHOO.

H.R. 2640: Mr. BOEHLERT.

H.R. 2659: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. BONIOR.

H.R. 2662: Mr. PAYNE and Ms. LEE.

H.R. 2710: Mr. CUNNINGHAM.

H.R. 2720: Mr. WELLER, Mr. BOUCHER, and Mr. TRAFICANT.

H.R. 2733: Mr. REYES.

H.R. 2735: Mr. CRANE.

H.R. 2741: Mr. CROWLEY.

H.R. 2749: Mr. SMITH of Texas and Mr. WELDON of Florida.

H.R. 2776: Mr. WYNN and Mr. MALONEY of Connecticut.

H.R. 2786: Mr. TOWNS.

H.R. 2856: Mr. SMITH of New Jersey, Mr. LIPINSKI, and Mr. ENGLISH.

H.R. 2890: Mr. THOMPSON of Mississippi and Mr. CAPUANO.

H.R. 2892: Mr. WELDON of Pennsylvania, Mrs. LOWEY, and Mr. BARCIA.

H.R. 2902: Mr. SABO, Mr. MOAKLEY, Mr. CAPUANO, Mr. BORSKI, Mr. HOLDEN, Mrs. MALONEY of New York, Mr. FROST, Ms. PELOSI, and Mr. ROTHMAN.

H.R. 2939: Mr. SANDERS and Mr. CONYERS.

H.R. 2986: Mr. ROYCE.

H.R. 2987: Mr. TALENT and Mr. NETHERCUTT.

H.R. 2999: Mr. WYNN.

H.R. 3028: Mr. SALMON.

H.J. Res. 46: Mr. MCHUGH, Mrs. LOWEY, and Mr. WEINER.

H. Con. Res. 141: Mr. PORTER, Mr. GREENWOOD, Mr. HORN, Mr. POMBO, Mr. ENGEL, Mr. KILDEE, Mr. ROHRBACHER, Mr. DIXON, Mrs. CLAYTON, and Mr. PASTOR.

H. Con. Res. 166: Mr. SAM JOHNSON of Texas.

H. Res. 37: Ms. NORTON, Mrs. MINK of Hawaii, and Mr. FROST.

H. Res. 41: Mr. BARCIA, Mrs. JOHNSON of Connecticut, Mr. MARTINEZ, and Mr. UDALL of New Mexico.

H. Res. 224: Mr. MORAN of Kansas.

H. Res. 238: Mr. CAMP and Mr. WOLF.

H. Res. 269: Mr. SABO.

H. Res. 278: Mr. WALSH, Mr. KLECZKA, Mr. PHELPS, and Mr. MCHUGH.

H. Res. 298: Mr. MENENDEZ, Mr. GILCREST, Ms. DEGETTE, Mr. ROMERO-BARCELO, Mr. DAVIS of Florida, Ms. WATERS, Mr. HOBSON, Mr. LEWIS of Georgia, Mr. MEEKS of New York, Mrs. MALONEY of New York, and Ms. PELOSI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1993

OFFERED BY: MR. GEJDENSON

AMENDMENT NO. 1: Insert the following after section 4 and redesignate succeeding sections, and references thereto, accordingly.

SEC. 4. ENVIRONMENTAL IMPACT OF OPIC PROGRAMS.

(a) ADDITIONAL REQUIREMENTS.—Section 231A of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection:

“(b) ENVIRONMENTAL IMPACT.—

“(1) ENVIRONMENTAL ASSESSMENT OR AUDIT.—The Board of Directors of the Corporation shall not vote in favor of any action proposed to be taken by the Corporation that is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented, unless for at least 60 days before the date of the vote—

“(A) an environmental impact assessment or initial environmental audit, analyzing the environmental impacts of the proposed action and of alternatives to the proposed action has been completed by the project applicant and made available to the Board of Directors; and

“(B) such assessment or audit has been made available to the public of the United States, locally affected groups in the host country, and host country nongovernmental organizations.

“(2) DISCUSSIONS WITH BOARD MEMBERS.—Prior to any decision by the Corporation regarding insurance, reinsurance, guarantees, or financing for any project, the President of the Corporation or the President's designee shall meet with at least one member of the public who is representative of individuals who have concerns regarding any significant adverse environmental impact of that project.

“(3) CONSIDERATION AT BOARD MEETINGS.—In making its decisions regarding insurance, reinsurance, guarantees, or financing for any project, the Board of Directors shall fully take into account any recommendations made by other interested Federal agencies, interested members of the public, locally affected groups in the host country, and host country nongovernmental organizations with respect to the assessment or audit described in paragraph (1) or any other matter related to the environmental effects of the proposed support to be provided by the Corporation for the project.”; and

(3) in subsection (c), as so redesignated, by striking “each year” and inserting “every 6 months”.

(b) STUDY ON PROCESS FOR OPIC ASSISTANCE.—The Inspector General of the Agency for International Development shall review OPIC's procedures for undertaking to conduct financing, insurance, and reinsurance operations in order to determine whether OPIC receives sufficient information from project applicants, agencies of the United States Government, and members of the public of the United States and other countries on the environmental impact of investments insured, reinsured, or financed by OPIC. Not later than 120 days after the date of the enactment of this Act, the Inspector General shall report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on the results of its review. The report shall include—

(1) recommendations for ways in which the views of the public could be better reflected in OPIC's procedures;

(2) recommendations for what additional information should be required of project applicants; and

(3) recommendations for environmental standards that should be used by OPIC in conducting its financing, insurance, and reinsurance operations.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

H.R. 1993

OFFERED BY: MR. GEJDENSON

AMENDMENT NO. 2: Insert the following after section 4 and redesignate succeeding sections, and references thereto, accordingly.

SEC. 4. ENVIRONMENTAL IMPACT OF OPIC PROGRAMS.

(a) ADDITIONAL REQUIREMENTS.—Section 231A of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection:

“(b) ENVIRONMENTAL IMPACT.—

“(1) ENVIRONMENTAL ASSESSMENT OR AUDIT.—The Board of Directors of the Corporation shall not vote in favor of any action proposed to be taken by the Corporation that is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented, unless for at least 60 days before the date of the vote—

“(A) an environmental impact assessment or initial environmental audit, analyzing the environmental impacts of the proposed action and of alternatives to the proposed action has been completed by the project applicant and made available to the Board of Directors; and

“(B) such assessment or audit has been made available to the public of the United States, locally affected groups in the host country, and host country nongovernmental organizations.

“(2) CONSIDERATION AT BOARD MEETINGS.—In making its decisions regarding insurance, reinsurance, guarantees, or financing for any project, the Board of Directors shall fully take into account any recommendations made by other interested Federal agencies, interested members of the public, locally affected groups in the host country, and host country nongovernmental organizations with respect to the assessment or audit described in paragraph (1) or any other matter related to the environmental effects of the proposed support to be provided by the Corporation for the project.”; and

(3) in subsection (c), as so redesignated, by striking “each year” and inserting “every 6 months”.

(b) STUDY ON PROCESS FOR OPIC ASSISTANCE.—OPIC shall review its procedures for undertaking to conduct financing, insurance, and reinsurance operations in order to determine whether OPIC receives sufficient information from project applicants, agencies of the United States Government, and members of the public of the United States and other countries on the environmental impact of investments insured, reinsured, or financed by OPIC. Not later than 120 days after the date of the enactment of this Act, OPIC shall report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on the results of its review. The report shall include—

(1) recommendations for ways in which the views of the public could be better reflected in OPIC's procedures;

(2) recommendations for what additional information should be required of project applicants; and

(3) recommendations for environmental standards that should be used by OPIC in conducting its financing, insurance, and reinsurance operations.

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

H.R. 1993

OFFERED BY: MR. GEJDENSON

AMENDMENT NO. 3: Insert the following after section 4 and redesignate succeeding sections, and references thereto, accordingly.

SEC. 4. ENVIRONMENTAL IMPACT OF OPIC PROGRAMS.

(a) **ADDITIONAL REQUIREMENTS.**—Section 231A of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection:

“(b) **ENVIRONMENTAL IMPACT.**—

“(1) **ENVIRONMENTAL ASSESSMENT OR AUDIT.**—The Board of Directors of the Corporation shall not vote in favor of any action proposed to be taken by the Corporation that is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented, unless for at least 60 days before the date of the vote—

“(A) an environmental impact assessment or initial environmental audit, analyzing the environmental impacts of the proposed action and of alternatives to the proposed action has been completed by the project applicant and made available to the Board of Directors; and

“(B) such assessment or audit has been made available to the public of the United States, locally affected groups in the host country, and host country nongovernmental organizations.

“(2) **DISCUSSIONS WITH BOARD MEMBERS.**—Prior to any decision by the Corporation regarding insurance, reinsurance, guarantees, or financing for any project, a member or members of the Board of Directors shall meet with at least one member of the public who is representative of individuals who have concerns regarding any significant adverse environmental impact of that project.

“(3) **CONSIDERATION AT BOARD MEETINGS.**—In making its decisions regarding insurance, reinsurance, guarantees, or financing for any project, the Board of Directors shall fully take into account any recommendations made by other interested Federal agencies, interested members of the public, locally affected groups in the host country, and host country nongovernmental organizations with respect to the assessment or audit described in paragraph (1) or any other matter related to the environmental effects of the proposed support to be provided by the Corporation for the project.”; and

(3) in subsection (c), as so redesignated, by striking “each year” and inserting “every 6 months”.

(b) **STUDY ON PROCESS FOR OPIC ASSISTANCE.**—The Inspector General of the Agency for International Development shall review OPIC's procedures for undertaking to conduct financing, insurance, and reinsurance operations in order to determine whether OPIC receives sufficient information from project applicants, agencies of the United States Government, and members of the public of the United States and other countries on the environmental impact of investments

insured, reinsured, or financed by OPIC. Not later than 120 days after the date of the enactment of this Act, the Inspector General shall report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on the results of its review. The report shall include—

(1) recommendations for ways in which the views of the public could be better reflected in OPIC's procedures;

(2) recommendations for what additional information should be required of project applicants; and

(3) recommendations for environmental standards that should be used by OPIC in conducting its financing, insurance, and reinsurance operations.

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

H.R. 1993

OFFERED BY: MR. GILMAN

AMENDMENT NO. 4: Page 11, lines 4 and 5, strike “minority-owned businesses, focusing on” and insert “businesses that, because of their minority ownership, may have been excluded from export trade, and from”.

Page 11, lines 8 and 9, strike “urban-based and minority-owned” and insert “such”.

H.R. 1993

OFFERED BY: MR. ROHRBACHER

AMENDMENT NO. 5: Page 6, add the following after line 25 and redesignate succeeding sections, and references thereto, accordingly.

SEC. 5. ENVIRONMENTAL REQUIREMENTS FOR OPIC.

Section 239(g) of the Foreign Assistance Act of 1961 (21 U.S.C. 2199(g)) is amended—

(1) by inserting “(1)” after “(g)”;

(2) by adding at the end the following:

“(2) The Corporation shall not issue any contract of insurance or reinsurance, or any guaranty, or enter into any agreement to provide financing for any Category A investment fund project as defined by the Corporation's environmental handbook, or comparable project, unless all relevant environmental impact statements and assessments and initial environmental audits with respect to the project are made available for a public comment period of not less than 60 to 120 days.”.

H.R. 1993

OFFERED BY: MR. ROHRBACHER

AMENDMENT NO. 6: Page 6, add the following after line 25 and redesignate succeeding sections, and references thereto, accordingly.

SEC. 5. PROHIBITION ON OPIC FUNDING FOR FOREIGN MANUFACTURING ENTERPRISES.

Section 231 of the Foreign Assistance Act of 1961 (21 U.S.C. 2191) is amended by adding at the end the following flush sentence:

“In addition, the Corporation shall decline to issue any contract of insurance or reinsurance, or any guaranty, or to enter into any agreement to provide financing for an eligible investor's investment if the investment is to be made in any manufacturing enterprises in a foreign country.”.

H.R. 1993

OFFERED BY: MR. SANFORD

AMENDMENT NO. 7: Page 6, line 23, strike “Section” and insert “(a) **IN GENERAL.**—Section”.

Page 6, line 25, strike “2003” and insert “2000”.

Page 6, add the following after line 25:

(b) **OVERSIGHT HEARINGS.**—Prior to considering legislation to authorize issuing authority for OPIC's insurance and financing programs for any fiscal year after fiscal year 2000, the Committee on International Relations of the House of Representatives shall conduct an oversight hearing on the compliance by OPIC with laws, treaties, agreements, general policies, and obligations to which OPIC is subject in the implementation of its programs.

H.R. 1993

OFFERED BY: MR. SANFORD

AMENDMENT NO. 8: Page 6, line 25, strike “2003” and insert “2000”.

H.R. 1993

OFFERED BY: MR. TERRY

AMENDMENT NO. 9: Page 6, insert the following after line 21:

(9) OPIC must address concerns that it does not promptly dispose of legitimate claims brought with respect to projects insured or guaranteed by OPIC. The Congress understands the desire of OPIC to explore all possible arrangements with foreign parties. However, OPIC must be aware that private parties with legitimate claims face financial obligations that cannot be deferred indefinitely.

H.R. 1993

OFFERED BY: MR. TERRY

AMENDMENT NO. 10: Page 6, add the following after line 25, and redesignate succeeding sections, and references thereto, accordingly:

SEC. 5. CLAIMS SETTLEMENT REQUIREMENTS FOR OPIC.

(a) **TIME PERIODS FOR RESOLVING CLAIMS.**—Section 237(i) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(i)) is amended—

(1) by inserting “(1)” after “(i)”;

(2) by adding at the end the following:

“(2) The Corporation shall resolve each claim arising as a result of insurance, reinsurance, or guaranty operations under this title or under predecessor guaranty authority within 90 days after the claim is filed, except that the Corporation may request specific supplemental information on the claim before the expiration of that 90-day period, and in that case may extend the 90-day period for an additional 60 days after receipt of such information.

“(3) The Corporation shall pay interest at the prime rate on any claim for each day after the end of the applicable time period specified in paragraph (2) for settlement of the claim.”.

H.R. 1993

OFFERED BY: MR. TERRY

AMENDMENT NO. 11: Page 6, add the following after line 25, and redesignate succeeding sections, and references thereto, accordingly:

SEC. 5. RESTRICTION ON CONTACTS RELATING TO OPIC CLAIMS SETTLEMENTS.

(a) **PUBLICATION OF FEDERAL AGENCY INTERVENTIONS.**—Section 237(i) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(i)) is amended—

(1) by inserting “(1)” after “(i)”;

(2) by adding at the end the following:

“(2) No other department or agency of the United States, or officer or employee thereof, may intervene in any pending settlement determination on any claim arising as a result of insurance, reinsurance, or guaranty operations under this title or under predecessor guaranty authority unless such intervention is published in the Federal Register.

“(3) The Corporation shall report to the Congress on any intervention, by any other department or agency of the United States, or officer or employee thereof, regarding the timing or settlement of any claim arising as a result of insurance, reinsurance, or guaranty operations under this title or under predecessor guaranty authority. The report shall be submitted within 30 days after the intervention is made.”.

H.R. 1993

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 12: Page 10, strike line 13 and all that follows through line 24 and insert the following:

(d) REPORTS ON MARKET ACCESS.—

(1) ANNUAL REPORTS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the ITA should submit to the Congress, and make available to the public, a report with respect to those countries selected by the ITA in which goods or services produced or originating in the United States, that would otherwise be competitive in those countries, do not have market access. Each report should contain the following with respect to each such country:

(A) ASSESSMENT OF POTENTIAL MARKET ACCESS.—An assessment of the opportunities that would, but for the lack of market access, be available in the market in that country, for goods and services produced or originating in the United States in those sec-

tors selected by the ITA. In making such assessment, the ITA should consider the competitive position of such goods and services in similarly developed markets in other countries. Such assessment should specify the time periods within which such market access opportunities should reasonably be expected to be obtained.

(B) CRITERIA FOR MEASURING MARKET ACCESS.—Objective criteria for measuring the extent to which those market access opportunities described in subparagraph (A) have been obtained. The development of such objective criteria may include the use of interim objective criteria to measure results on a periodic basis, as appropriate.

(C) COMPLIANCE WITH TRADE AGREEMENTS.—An assessment of whether, and to what extent, the country concerned has materially complied with existing trade agreements between the United States and that country. Such assessment should include specific information on the extent to which United States suppliers have achieved additional access to the market in the country concerned and the extent to which that country has complied with other commitments under such agreements and understandings.

(D) ACTIONS TAKEN BY ITA.—An identification of steps taken by the ITA on behalf of United States companies affected by the lack of market access in that country.

(2) SELECTION OF COUNTRIES AND SECTORS.—

(A) IN GENERAL.—In selecting countries and sectors that are to be the subject of a report under paragraph (1), the ITA should give priority to—

(i) any country with which the United States has a trade deficit if access to the markets in that country is likely to have significant potential to increase exports of United States goods and services; and

(ii) any country, and sectors therein, in which access to the markets will result in significant employment benefits for producers of United States goods and services.

The ITA should also give priority to sectors which represent critical technologies, including those identified by the National Critical Technologies Panel under section 603 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683).

(B) FIRST REPORT.—The first report submitted under paragraph (1) should include those countries with which the United States has a substantial portion of its trade deficit.

(C) TRADE SURPLUS COUNTRIES.—The ITA may include in reports after the first report such countries as the ITA considers appropriate with which the United States has a trade surplus but which are otherwise described in paragraph (1) and subparagraph (A) of this paragraph.